

REMARKS

This application has been reviewed in light of the Office Action dated February 19, 2009. Claims 6 and 13-16 are presented for examination, of which Claim 6 is in independent form. Claim 6 has been amended to define still more clearly what Applicant regards as his invention. Claims 1, 3, 4, 8 and 10-12 have been cancelled without prejudice or disclaimer of subject matter, and will not be mentioned further. Claims 13-16 have been added to provide Applicant with a more complete scope of protection. The title has been amended to make its language more consistent with that of the specification. Favorable reconsideration is requested.

In the outstanding Office Action, Claim 6 was rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent 6,807,907 (Yamada).

Independent Claim 6 is directed to an image forming apparatus connected to a server apparatus and a client computer via a network, and comprises an image forming unit for image formation, among other elements. The claimed apparatus has a standby mode, and an energy-saving mode in which less electric power is consumed than in the standby mode, and the waiting time to restart image formation from the standby mode is shorter than that from the energy-saving mode (see page 18, lines 3-13, for support).¹ Also provided are a detecting device that periodically detects a status of the image forming apparatus (see page 19, lines 10-12), and a receiving device that receives from the client computer an inquiry about a status of the image forming apparatus. A first control device (see main-chip microcomputer Q701 described at page 27, line 14) responds, in a case

¹ It is to be understood that the scope of the claims is not limited by the details of this or any other embodiment that may be referred to.

where the inquiry is received by the receiving device when the image forming apparatus is not in the energy-saving mode, by conveying the status detected by the detecting device to the client computer (see page 70, line 27, to page 71, line 9), while in a case where the image forming apparatus is to shift to the energy saving mode, it transmits the detected status and an agency request command to the server apparatus (see page 74, line 23, to page 75, line 2) and thereafter controls itself to shift to a halt state (see page 72, lines 3-22).

Also, according to Claim 6, after receiving the agency request, the server apparatus responds to the inquiry from the client computer on behalf of the first control device (see page 75, lines 9-16) that causes the communication device to transmit to the server apparatus an agency request command for requesting the server apparatus to respond to a status request, on behalf of the image forming apparatus, and a latest status of the image forming apparatus detected by said detecting device, when the image forming apparatus shifts to the reduced power consumption mode. Also provided is a second control device (see main-chip microcomputer Q702, described at page 27, line 14) that is configured to output to the first control device a command for resuming from the halt state, in a case where there is any change between a latest status among the statuses detected by the detecting device and the status detected when the image forming apparatus is to shift to the energy saving mode while the image forming apparatus is in the energy-saving mode, (see page 79, lines 10-15). Claim 6 also recites that the first control device transmits to the latest status to the server apparatus, after resuming from the halt state responding to the command output by the second control device, and thereafter controls itself to shift back to the halt state (see page 81, line 17 to page 82, line 13).

Among other notable features of the apparatus claimed in Claim 6 is that, in a case where the apparatus is to shift to an energy-saving mode, a first control device transmits an agency request command to a server apparatus and thereafter controls itself to shift to a halt state, while on the other hand, in a case where there is any change between the latest status of the image forming apparatus and a status detected when the image forming apparatus is to shift to the energy saving mode while the image forming apparatus is in the energy-saving mode, the following operation occurs: A second control device outputs to the first control device a command for resuming from the halt state, and after resuming from the halt state responding to the command output by the second control device, the first control device transmits the latest status to the server apparatus, and thereafter controls itself to shift back to its halt state.

By virtue of these features of the claimed image forming apparatus, the server apparatus can respond to an inquiry based on the latest status of the image forming apparatus, even if the image forming apparatus is in the energy-saving mode. Further, changes in the status can be monitored in the energy-saving mode, in which less electric power is consumed than in the standby mode.

Yamada relates to a printer or the like that is intended to achieve greater energy conservation than the conventional energy conservation mode but without compromising user convenience. To attain that object, when the printer is to shift to the energy conservation mode, the printer outputs to a network device a substitute response request for ordering a substitute response to a request for status information sent to the printer.

However, the network device to be ordered to make the substitute response simply memorizes the status information before the printer shifts into the energy conservation mode, and thus the content of the response will in all cases reflect only the status of the printer as it was when the response was memorized. If there has been a subsequent change in the printer's status, there is no provision for the network device to be able to provide that information in response to a request.

Further, Applicant submits that nothing has been found in *Yamada* corresponding to the recited first and second control devices.

For all these reasons, Applicant submits that Claim 6 is allowable over *Yamada*.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against independent Claim 6, and that claim is therefore believed patentable over the art of record.

The other claims in this application are each dependent from Claim 6, and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, respectively, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

Leonard P Diana/
Leonard P. Diana
Attorney for Applicant
Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

FCHS_WS 3652361v1